

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Peter G. Sheridan
:
v. : Crim. No. 10-640 (PGS)
:
ENRIQUE NUNEZ : CONTINUANCE ORDER

A criminal indictment charging the defendant with conspiring to possess with intent to distribute more than 5 kilograms of cocaine, contrary to 21 U.S.C. Sections 841(a)(1) and 841(b)(1)(a), in violation of 21 U.S.C. Section 846, having been returned on September 23, 2010; and the defendant being scheduled for arraignment before the Court on October 13, 2010; and the defendant being represented by Patrick McMahon, Esq.; and the defendant and his counsel being aware that he has the right to have the matter brought to trial within seventy (70) days of publication of defendant's indictment on this charge, pursuant to Title 18, United States Code, Section 3161(c)(1); and no continuances having previously been granted by this Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A); the defendant hereby requests a continuance pursuant to Title 18, United States Code, Section 3161(h)(7)(A) in order to permit the time necessary for the defendant to negotiate a plea agreement; the Government having agreed to this continuance; and for good cause shown;

IT IS on this 12th day of October, 2010,

ORDERED that from October 12th, 2010, to and including

December 15, 2010, shall be excluded under the Speedy Trial Act from calculation of the time within which this matter must be tried for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render indictment of this matter unnecessary;

2. The grant of a continuance will likely conserve judicial resources;

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

SEEN AND AGREED:



Randall H. Cook
Assistant U.S. Attorney



Patrick McMahon, Esq.
Counsel for Enrique Nunez



HONORABLE PETER G. SHERIDAN
United States District Judge